

EXHIBIT “A”

General Civil and Domestic Relations Case Filing Information Form

FILED IN OFFICE
CLERK OF SUPERIOR COURT
MCDUFFIE COUNTY, GEORGIA

☒ Superior or ☐ State Court of McDuffie County
22CV0027

For Clerk Use Only

JAN 21, 2022 10:20 AM

 Date Filed 01-21-2022
MM-DD-YYYY
Case Number 22CV0027

Connie A. Cheatham
Connie Cheatham, Clerk
McDuffie County, Georgia

Plaintiff(s)

Hadden, Larry W.

Last	First	Middle I.	Suffix	Prefix

Last	First	Middle I.	Suffix	Prefix

Last	First	Middle I.	Suffix	Prefix

Last	First	Middle I.	Suffix	Prefix

Plaintiff's Attorney Sanders, Reid

Defendant(s)

Devenish Nutrition, LLC

Last	First	Middle I.	Suffix	Prefix

Last	First	Middle I.	Suffix	Prefix

Last	First	Middle I.	Suffix	Prefix

Last	First	Middle I.	Suffix	Prefix

Bar Number 413086Self-Represented ☐

Check one case type and, if applicable, one sub-type in one box.

General Civil Cases

- ☐ Automobile Tort
☐ Civil Appeal
☐ Contract
☐ Contempt/Modification/Other Post-Judgment
☐ Garnishment
☒ General Tort
☐ Habeas Corpus
☐ Injunction/Mandamus/Other Writ
☐ Landlord/Tenant
☐ Medical Malpractice Tort
☐ Product Liability Tort
☐ Real Property
☐ Restraining Petition
☐ Other General Civil

Domestic Relations Cases

- ☐ Adoption
☐ Contempt
☐ Non-payment of child support, medical support, or alimony
☐ Dissolution/Divorce/Separate Maintenance/Alimony
☐ Family Violence Petition
☐ Modification
☐ Custody/Parenting Time/Visitation
☐ Paternity/Legitimation
☐ Support – IV-D
☐ Support – Private (non-IV-D)
☐ Other Domestic Relations

- ☐ Check if the action is related to another action(s) pending or previously pending in this court involving some or all of the same parties, subject matter, or factual issues. If so, provide a case number for each.

Case Number

Case Number

- ☒ I hereby certify that the documents in this filing, including attachments and exhibits, satisfy the requirements for redaction of personal or confidential information in O.C.G.A. § 9-11-7.1.
☐ Is a foreign language or sign-language interpreter needed in this case? If so, provide the language(s) required.
 _____ Language(s) Required
☐ Do you or your client need any disability accommodations? If so, please describe the accommodation request.

**SUPERIOR COURT OF MCDUFFIE COUNTY
STATE OF GEORGIA**

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22CV0027

JAN 21, 2022 10:20 AM

Connie H. Cheatham
Connie Cheatham, Clerk
McDuffie County, Georgia

CIVIL ACTION NUMBER 22CV0027

Hadden, Larry W.

PLAINTIFF

VS.

Devenish Nutrition, LLC

DEFENDANT

SUMMONS

TO: DEVENISH NUTRITION, LLC

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

**Reid Sanders
Hawk Law Group.
338 Telfair St
Augusta, Georgia 30901**


an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This 21st day of January, 2022.

Clerk of Superior Court

Connie H. Cheatham

Connie Cheatham, Clerk
McDuffie County, Georgia


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 MCDUFFIE COUNTY, GEORGIA
22CV0027

JAN 21, 2022 10:20 AM

Connie A. Cheatham
Connie Cheatham, Clerk
 McDuffie County, Georgia

IN THE SUPERIOR COURT FOR THE
 COUNTY OF McDUFFIE, STATE OF GEORGIA
 Civil Action File No. _____

LARRY W. HADDEN,

Plaintiff,

vs.

DEVENISH NUTRITION, LLC,

and/or A.B.C. that Foreign Limited Liability
 Company, corporation, individual
 partnership, foreign non-profit corporation,
 and profit corporation doing business as the
 same on January 5, 2021, at 148 Vigortone
 Road, Thomson, GA 30824,

First Defendant,

A.B.C. that Foreign Limited Liability
 Company, corporation, individual
 partnership, foreign non-profit corporation,
 and profit corporation doing business as the
 same on January 5, 2021, acting as the manager
 of **Devenish Nutrition, LLC** at 148 Vigortone
 Road, Thomson, GA 30824,

Second Defendant.

COMPLAINT

COMES NOW, the Plaintiff in the above-styled case and shows the following:

1

That upon information and belief, the Defendant, **Devenish Nutrition, LLC**, is a foreign
 limited liability company incorporated in and organized under the laws of the state of Minnesota
 with its principal place of business at 2320 Lake Avenue, Fairmont, Martin County, Minnesota
 56031. Devenish Nutrition is a global agri-technology company specializing in animal nutrition.

2

That the Defendant may be served with process by service upon its registered agent, C T Corporation System, 289 Culver Street, Lawrenceville, Gwinnett County, Georgia 30046-4805.

3

Venue is proper in this County in that the Defendant is a Foreign Limited Liability Company licensed to do business in the State of Georgia and doing business in the County of McDuffie, State of Georgia and is subject to the jurisdiction of this Court.

4

On January 5, 2021, while an invitee on the premises of Devenish Nutrition, located in Thomson, McDuffie County, Georgia, Plaintiff was there to pick up three (3) pallets of minerals. The pick-up door was closed, so Plaintiff went to the front door. As Plaintiff opened the front door, Plaintiff took a step back and grabbed the chain that was acting as the handrail. The chain broke, and Plaintiff fell some four-foot drop. As a proximate result of the hazardous condition of the chain, Plaintiff suffered significant injuries for which he has incurred medical expenses. The Defendant failed to take adequate precautions or failed to provide reasonable and necessary warnings in order to prevent injury to the Plaintiff.

5

As a direct and proximate result of the Defendant's negligence, the Plaintiff sustained severe injuries and was caused to suffer the following:

a) Medical expenses in the amount of \$10,836.33 set forth as follows:

University Hospital (McDuffie)	\$6,924.33
Augusta Physicians Group, LLC	\$ 1,400.00
Brown & Radiology	\$ 822.00

Augusta Orthopedic & Sports Medicine	\$ 1,690.00
Total Medical	<u>\$10,836.33</u>

- b) Compensation for loss of quality of life, the exact nature and extent of which cannot be determined until trial.

WHEREFORE, the Plaintiff prays that he be awarded the following:

- 1) Fair and reasonable special damages in the amount of \$10,836.33;
- 2) All consequential damages, the amount of which cannot be determined until the time of trial;
- 3) Past and future general damages, which cannot be determined until the time of trial;
- 4) All costs of court and reasonable attorney's fees.

PLAINTIFF FURTHER DEMANDS A JURY TRIAL.

Dated this 21st day of January 2022.

/s/ Reid Sanders
REID SANDERS
Georgia Bar No. 413086

Attorney for Plaintiff

HAWK LAW GROUP
338 Telfair Street
Augusta, GA 30901
(706) 722-3500
rsanders@hawklawgroup.com

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IN THE SUPERIOR COURT FOR THE
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LARRY W. HADDEN,

Plaintiff,

vs.

DEVENISH NUTRITION, LLC,
and/or A.B.C. that Foreign Limited Liability
Company, corporation, individual
partnership, foreign non-profit corporation,
and profit corporation doing business as the
same on January 5, 2021, at 148 Vigortone
Road, Thomson, GA 30824,

First Defendant,

A.B.C. that Foreign Limited Liability
Company, corporation, individual
partnership, foreign non-profit corporation,
and profit corporation doing business as the
same on January 5, 2021, acting as the manager
of **Devenish Nutrition, LLC** at 148 Vigortone
Road, Thomson, GA 30824,

Second Defendant.

INTERROGATORIES

TO: DEFENDANT DEVENISH NUTRITION, LLC

NOTE: These interrogatories are directed to you but require information obtained by you and your agents, servants, employees, representatives, investigators, adjustors, and others who are in possession of or may have obtained information for or on your behalf. These interrogatories shall be deemed continuing so as to require supplemental answers.

1. State the full name, address, and title of the person answering these Interrogatories.

2. State the name and address of each person, including experts, having any knowledge of relevant facts related to the incident which is the basis of this lawsuit, the cause thereof, or the damages resulting therefrom.

3. State the name and address of any potential party to this lawsuit that is not already a party hereto.

4. Please state whether or not you have a copy of any statement which the Plaintiff has previously made concerning the action or its subject matter and in which is in your possession, custody or control.

5. For the purpose of this question, a statement previously made is (1) a written statement signed or otherwise adopted or approved by the person making it, or (2) a stenographic, mechanical, electrical, or other recording, or a transcription thereof, which is a substantially verbatim recital of an oral statement by the person making it and contemporaneously recorded.

6. Describe any insurance agreement under which any insurance company may be liable to satisfy part or all of the judgment which may be entered in this action, or to indemnify or reimburse for payments made to satisfy the judgment, by stating the name of the person or entity insured, the name of the insurer, and the amount of any liability insurance coverage.

7. Describe in your own words how the incident occurred and state specifically and in detail what the claim or contention of the Defendant will be regarding any cause or contributing cause of the incident, including a statement in detail of the facts or information upon which this contention is based.

8. Describe in detail any conversation you have had with the Plaintiff or Plaintiff's representative following the incident in question.

9. Please state whether or not you have obtained from the Plaintiff, any statement, oral, written, or recorded, and state the date of obtaining any such statement from the Plaintiff.

10. State the name, address and qualifications of each expert who may be called as an expert witness at the trial of this case, the subject matter on which the expert is expected to testify and to state the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

11. State whether any expert whom you expect to call as a witness has prepared a report, formal or informal, and if so, state the date(s) of such report(s) and to whom addressed.

12. Please describe in detail any previous incidents of which Defendant is aware which occurred in substantially the same way as Plaintiff's incident or in the same or nearby location.

13. Did the Defendant conduct an investigation of the incident which forms the basis of this lawsuit?

14. Was it the regular course of business and standard procedure for the Defendant to investigate any incident at the premises wherein somebody was injured?

15. If there was an investigation made of the incident and/or accident that forms the basis of this lawsuit, please state whether the Defendant conducted such an investigation in anticipation of litigation, and if so, state each fact of which Defendant was aware at the time of the investigation that caused it to believe that it was conducting the investigation in anticipation of litigation.

16. What is the Defendant's contention as to the cause of the incident which forms the basis of this lawsuit?

17. If you contend that the Plaintiff was not an invitee at the time of the occurrence in question, please state and describe each fact, document or thing on which you base such a contention.

18. Please describe any claims or lawsuits that have heretofore been brought against this Defendant by reason of an incident or injury at the same or similar location, or a similar type of incident at some other location.

19. Does the Defendant contend that the Plaintiff consumed alcoholic beverages or drugs at the time or immediately preceding the time of the incident?

20. Please identify all photographs, motion pictures, video recordings, maps, drawings, charts, diagrams, measurements, surveys or other documents concerning the events and happenings made the basis of this lawsuit, the area of the occurrence made the basis of this lawsuit, persons or objects involved, made before, either at the time of or after the time of the events in question, including any photographs made of you at any time since the incident made the basis of this lawsuit, that you, your attorney, your insurance carrier or anyone acting on your or their behalf, has or know of.

21. Please state the correct names and addresses of the owners of the premises on January 5, 2021, and for five (5) years prior.

22. If Defendant was not an owner of the premises at the time of the occurrence in question, please state the nature of Defendant's relationship with the owners of the premises.

23. Please list the names and addresses of all persons having authority on the premises for the two (2) years prior to the occurrence made the basis of this lawsuit.

24. If a report was made by anyone in the ordinary course of business with respect to Plaintiff's incident, state the name and address of the person who made the report, the date thereof, and in whose custody it is.

Dated this 21st day of January 2022.

/s/ Reid Sanders

REID SANDERS

Georgia Bar No. 413086

Attorney for Plaintiff

HAWK LAW GROUP
338 Telfair Street
Augusta, GA 30901
(706) 722-3500
rsanders@hawklawgroup.com

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Civil Action File No. _____

LARRY W. HADDEN,

Plaintiff,

vs.

DEVENISH NUTRITION, LLC,
and/or A.B.C. that Foreign Limited Liability
Company, corporation, individual
partnership, foreign non-profit corporation,
and profit corporation doing business as the
same on January 5, 2021, at 148 Vigortone
Road, Thomson, GA 30824,

First Defendant,

A.B.C. that Foreign Limited Liability
Company, corporation, individual
partnership, foreign non-profit corporation,
and profit corporation doing business as the
same on January 5, 2021, acting as the manager
of Devenish Nutrition, LLC at 148 Vigortone
Road, Thomson, GA 30824,

Second Defendant.

REQUESTS FOR PRODUCTION OF DOCUMENTS TO
DEFENDANT DEVENISH NUTRITION, LLC

COMES NOW, the Plaintiff and requests the Defendant to produce the following documents:

1. Any contract between the owner and any person or entity responsible for caring for the premises at the time of Plaintiff's injuries.
2. Any indemnity agreement between any of the parties to this case.

3. Any indemnity agreement between any party to this case and non-party which is relevant to the incident and injuries made the basis of this lawsuit.

4. Any joint venture agreement between the parties or between any party to this lawsuit and any non-party regarding the ownership, operation, repair, maintenance, advertising security or other service for the premises in question.

5. Any and all photographs, videos or other recordings that Defendant has of the scene of the incident, the incident or the resulting injuries to the Plaintiff.

6. Any and all expert reports which have been obtained from any expert and if a report has not been prepared, the preparation of a report is hereby requested.

7. Any and all insurance agreements or policies under which any person or entity carrying on an insurance business may be liable to satisfy part or all of a judgment which may be rendered in this action or to indemnify or reimburse for payments made to satisfy the judgment.

8. Copies of any and all statements previously made by Plaintiff concerning the subject matter of this lawsuit, including any written statement signed or otherwise adopted or approved by the Plaintiff hereto and any stenographic, mechanical, electrical or other type of recording or any transcription thereof made by Plaintiff hereto and contemporaneously recorded.

9. Any and all drawings, maps or sketches of the scene of the incident which has been made the basis of this lawsuit.

10. Any and all settlement agreements wherein you have arrived at a settlement or agreement between you and any other person, whether or not a party to this lawsuit, regarding or pertaining to the incident made the basis of this lawsuit or any damages resulting therefrom.

11. A copy of any surveillance videos or photographs which have been made of Plaintiff.

12. Any and all expert reports that were or will be relied upon in whole or in part by any testifying expert in this case.

13. Any and all work papers, notes, documents in the file of any expert witness who is expected to testify, or in the file of any expert witness who has written a report which is or will be relied upon in whole or in part by a testifying expert.

14. Copies of reports of all similar incidents prepared by any and all employees of the premises in question within two (2) years of the incident.

15. All inspection reports or other documents relating to the observation of the premises by any person or entity, including Defendant, for the premises in question, for a period of two (2) year prior to, and all dates subsequent to the incident.

Dated this 21st day of January 2022.

/s/ Reid Sanders
REID SANDERS
Georgia Bar No. 413086

Attorney for Plaintiff

HAWK LAW GROUP
338 Telfair Street
Augusta, GA 30901
(706) 722-3500
rsanders@hawklawgroup.com

SHERIFF'S ENTRY OF SERVICECivil Action No. 22CV0027Date Filed 01/21/22 10:20 AMAttorney's Address **Sanders, Reid
Hawk Law Group.
338 Telfair St
Augusta, GEORGIA 30901-**

Superior Court	<input checked="" type="checkbox"/>	Magistrate Court	<input type="checkbox"/>
State Court	<input type="checkbox"/>	Probate Court	<input type="checkbox"/>
Juvenile Court	<input type="checkbox"/>		

Georgia, MCDUFFIE COUNTY

Hadden, Larry W.

Plaintiff

Name and Address of Party to be Served.

Devenish Nutrition, LLC148 Vigortone RoadThomson, GEORGIA 30824 3082VS.
Devenish Nutrition, LLC

Defendant

Garnishee

SHERIFF'S ENTRY OF SERVICE

PERSONAL

☐ I have this day served the defendant _____ personally with a copy of the within action and summons.

NOTORIOUS

☐ I have this day served the defendant _____ by leaving a copy of the action and summons at his most notorious place of abode in this County.☐ Delivered same into hands of _____ described as follows: age, about _____ years; weight _____ pounds; height, about _____ feet and _____ inches, domiciled at the residence of defendant.

CORPORATION

☐ Served the defendant Devenish Nutrition LLC a corporation by leaving a copy of the within action and summons with Don Christensen (Floor Manager) in charge of the office and place of doing business of said Corporation in the County.

TACK & MAIL

☐ I have this day served the above styled affidavit and summons on the defendant(s) by posting a copy of the same to the door of the premises designated in said affidavit, and on the same day of such posting by depositing a true copy of the same in the United States Mail, first class in an envelope properly address to the defendant(s) at the address shown in said summons, with adequate postage affixed thereon containing notice to the defendant(s) to answer said summons at the place stated in the summons.

NON EST

☐ Diligent search made and defendant not to be found in the jurisdiction of this court.This 25th day of January, 202211:05 am
Ally Dicks M15
DeputyShirley Cochran vs. Page 312